

The self-centered life is moral anarchy both for society and for individuals.

Charlottetown Guardian Two Cents Morning Guardian, Founded 1867

THE CHARLOTTETOWN GUARDIAN The People's Paper Read by Everybody

CHARLOTTETOWN, CANADA, SATURDAY, MARCH 5, 1938

12 PAGES

Annual Subscription Delivered \$5.00 By Mail—E. L. \$4.00; Canada and U. S. \$5.00

Freedom involves choice — We may save it or lose it by our conduct.

DEATH TOLL MOUNTS IN CALIFORNIA FLOODS

ALBERTA LEGISLATION IS RULED INVALID

GOVERNMENT CALLED UPON TO RESIGN

Judges Further Express Opinion Social Credit Act Unconstitutional

EDMONTON, Mar. 4—(CP)—Following upon the Government to resign because of adverse rulings on legislation, Conservative Leader D.M. Dugan moved a non-confidence motion in the Government during the budget debate in the Alberta Legislature late today.

BY J. F. SANDERSON Canadian Press Staff Writer OTTAWA, March 4—(CP)—The Social Credit Act, Premier William Aberhart of Alberta was considered today to be in legal danger as a result of decisions of the Supreme Court of Canada.

In unanimous judgments, six judges of the court ruled today that three Alberta bills relating to credit regulation, bank taxation and newspaper control were unconstitutional.

In addition, they agreed the Dominion retained power to disallow provincial legislation and lieutenant-governors to reserve assent to bills.

Going outside the terms of the reference, Chief Justice Duff and Justice H. H. Davis passed an opinion the Alberta Social Credit Act, in whole or in part, is unconstitutional.

This phase of the Chief Justice's decision was considered the most important of all because of the legal doubt it cast on the whole Social Credit plans of the Aberhart Government.

One interpretation placed on it was that it precluded establishment of a Social Credit financial system in any Canadian province because of lack of legal control over fields banking and trade and commerce, held by the Dominion under the British North America Act.

Here are some of the comments of the other judges relating to the Social Credit Act: Judge Patrick Kerwin and Judge O. S. Crockett: "An examination of"

(Continued on page 11, Col. 4)

COMING EVENTS

*Skate Victoria rink tonight. L-823-1-15-22-28-Sat-1.

*Carnival at French River rink tonight. L-603.

*Huskies vs. Maple Leafs, Millon rink tonight, skate after. L-596.

*Borden Line Club leading hogs, calves every Tuesday. Hours 12 to 3. L-348-12-M-2-5-Tf.

*Hockey finals at New Glasgow tonight, Imperials vs. Rangers. L-606.

*League hockey game, Sea View Rink tonight, Spring Valley rows vs. Sea View Maple Leafs. L-599.

*Hockey at Marshall tonight, Dunstaffnage vs. Frenchfort, play-off game, skate after. L-604.

*Poultry prices are high. We need large quantity, ship or bring down a chicken or fowl to Royal Poultry Co. L-372-2-5-121.

*Hartville Maple Leafs vs. Wiltshire All Sports, Wiltshire rink tonight. First game in final playoffs. Vernon Ross, referee. L-598.

*Buying live hogs, Alden Moose, Kensington, Monday 7th; Lemuel Craswell, Hunter River, every Monday afternoon and Tuesday forenoon. L-590-3-5-11

*Hockey match Victoria Monday March 5th, Holmans by ladies Zion Church who will have delicious home made Bread, Cake, etc. for sale. They will gladly supply Poultry week end needs in these lines. L-518-3-3-31.

*Unloading Friday and Saturday mixed car wheat, corn, cornmeal, poultry and chick feeds at special price. Non members may take advance. Egg supply Poultry Association, Weymouth Street. L-537-3-3-31.

*Unloading carload of cornmeal and cracked corn, Sours, Saturday, March 5th, at co-operative prices. Get in on this and save money. C. D. MacKinnon, T. J. Eckman. L-569-3-5-11.

"Hands Off" Czechoslovakia Hitler Warned By Hodza

(By The Associated Press) PRAHA, Czechoslovakia, Mar. 4—Premier Milan Hodza told a cheering Chamber of Deputies today that Czechoslovakia's borders are "absolutely untouchable."

This was the answer of the war-created republic to issues raised by Reichsmagister Hitler's influence in Austria and German Field Marshal Goering's promise of protection for 10,000,000 Germans just across open borders.

Hodza said Czechoslovakia would discuss problems with Germany on a "basis of absolute equality" but he swore she would defend her sovereignty and independence to her last breath.

"We want peace," the Premier declared, "but with things as they are today we must let it be known that if destiny confronts us with the necessity of defending ourselves we will resist with all our strength."

Absentees from the cheering for the Premier were Communist and 42 pro-Nazi deputies of German descent.

The others acclaimed his pledge that the nation and its inhabitants—among them 3,500,000 racial Germans—never, under any circumstances, would permit outside interference in domestic affairs.

and independence to her last breath. "We want peace," the Premier declared, "but with things as they are today we must let it be known that if destiny confronts us with the necessity of defending ourselves we will resist with all our strength."

Absentees from the cheering for the Premier were Communist and 42 pro-Nazi deputies of German descent.

The others acclaimed his pledge that the nation and its inhabitants—among them 3,500,000 racial Germans—never, under any circumstances, would permit outside interference in domestic affairs.

and independence to her last breath. "We want peace," the Premier declared, "but with things as they are today we must let it be known that if destiny confronts us with the necessity of defending ourselves we will resist with all our strength."

Absentees from the cheering for the Premier were Communist and 42 pro-Nazi deputies of German descent.

The others acclaimed his pledge that the nation and its inhabitants—among them 3,500,000 racial Germans—never, under any circumstances, would permit outside interference in domestic affairs.

and independence to her last breath. "We want peace," the Premier declared, "but with things as they are today we must let it be known that if destiny confronts us with the necessity of defending ourselves we will resist with all our strength."

Absentees from the cheering for the Premier were Communist and 42 pro-Nazi deputies of German descent.

The others acclaimed his pledge that the nation and its inhabitants—among them 3,500,000 racial Germans—never, under any circumstances, would permit outside interference in domestic affairs.

and independence to her last breath. "We want peace," the Premier declared, "but with things as they are today we must let it be known that if destiny confronts us with the necessity of defending ourselves we will resist with all our strength."

Absentees from the cheering for the Premier were Communist and 42 pro-Nazi deputies of German descent.

The others acclaimed his pledge that the nation and its inhabitants—among them 3,500,000 racial Germans—never, under any circumstances, would permit outside interference in domestic affairs.

LETTER LINKS EX-LEADERS IN SOVIET PLOT

Assassination Of Stalin Said Planned In Sensational Disclosures In Trial.

MOSCOW, March 4—(AP)—A letter in secret chemical ink brought the names of two recalled Soviet ambassadors today into the great web of conspiracies confessed by the 21 defendants in Moscow's greatest treason trial.

Plotters already executed were linked with D. V. Bogomolov, former envoy to China who was recalled last September, and Dr. Constantine Youreff, who was called home from Berlin and since has been rumored under arrest.

The two ambassadors were named by Christian Rakovsky, one of the defendants and himself once the Soviet ambassador in Ottawa.

The mysterious letter, addressed to Youreff and signed by Gregory Platiakoff, a former vice-commissioner of heavy industry who was executed in 1932, said a certain government would approach Rakovsky. It also implicated Bogomolov.

Aims Coincided Rakovsky said he already had met an important public figure in Japan and they had agreed to join in the execution of a certain government coincide.

Another sensational disclosure was of a plan to seize the Kremlin and kill Joseph Stalin and other Russian leaders in May, 1937.

Mikhail N. Tukhachevsky, brilliant Red Army Marshal who has been executed, was pictured as the ringleader.

In conspiracies to dismember the Soviet Union and build a capitalist state on the ashes of the Soviet, the defendants told of plots to enlist the aid of Germany and Poland.

They accused Platiakoff and Admiral Vladimir R. Orlov, both of whom died as traitors; Marshal Jan Garmankin, who committed suicide shortly before Tukhachevsky was shot, and Leon Sedoff, Leon Trotsky's son, who died in Paris last month.

The confession of Faystula Khodjiev, once president of the Uzbek Soviet Republic and admitted leader of a separatist movement, divulged unsuccessful attempts to invoke British aid to separate the Soviet Union through armed revolt.

Japan Proposes Naval Reduction TOKYO, March 4—(AP)—Foreign Minister Koki Hirota urged each other to reduce the number of all capital warships today in a renewed bid for friendship with the United States.

As long as we fully understand each other, Hirota told a parliamentary budget committee, "I am confident there will be no trouble between Japan and the United States."

The Foreign Minister told the committee "we are doing our best to promote friendship through an exchange of messages with Secretary Hull, United States Secretary of State."

He said that Japan "would welcome the opportunity to discuss the question of naval reduction with the powers. If such opportunity appears, the Japanese Government will propose the total abolition of capital ships."

Hirota's bid for friendship came during a bitter quarrel between parliamentary leaders and the government that created tension in Tokyo.

Investigate Fire At Fort Niagara PORT NIAGARA, N. Y., March 4—(AP)—A military board of inquiry investigated tonight a \$150,000 fire which threatened a historic army post today, destroyed one company's barracks and damaged another.

Thirteen soldiers and volunteer firemen, were treated at the post hospital for frost-bite, collapse from smoke, burns or injuries from falling debris. Lieut. Col. Reginald Ducaud, medical officer, said none was seriously hurt.

Joy Tinged With Sorrow Marks Sailing Of Sealing Armada

(C. P. by Guardian's Special Wire) ST. JOHN'S Nfld., March 4—(CP Cable)—Fifteen hundred men drank tonight to "bloody decks and many of them" as the battle fleet of Newfoundland's annual sealing armada prepared to sail on another great adventure.

Six of the famous old "wooden walls" scarred and pitted veterans of the hunt, strained at their moorings in anticipation of the departure. One already has sailed from St. John's, two from Port Aux Basques on the west coast.

The old-timers may say the romance of by-gone days is lacking; that steam whalers and the airplane have robbed the hunt of its color and legend. But Newfoundlanders today still fight for a "birth on the ice" and the opportunity of daily risking their lives.

A band may play on the pier tomorrow as the sealers move out through the bottle-necked Narrows, a cluster of winter vessels in the harbor may blow and salutes may be fired but many a one ashore is sad in the knowledge few have been the years' tragedy has not overtaken the fleet.

Land Annuities Major Problem

(C. P. by Guardian's Special Wire) LONDON, March 4—The land annuities problem loomed as the chief difficulty tonight as Great Britain and Eire sought a comprehensive trade agreement.

With the question of partition apparently in the background because no progress can be made on that issue, the agreement on trade, they will continue tomorrow, it was decided, and be resumed tomorrow.

The cost of pensions to former members of the Royal Irish Constabulary, disbanded in 1922 after the act of Parliament that created the Irish Free State—now Eire—and other matters connected with the financial dispute from which resulted the tariff were also understood to be a hindrance to progress.

PEACE, BUT WITH HONOR

Sir Samuel Hoare Explains British Aim. LONDON, March 4—Great Britain will not "submit to peace at any price," Home Secretary Sir Samuel Hoare said at a Conservative meeting tonight.

"The Government have no intention of supporting any peace in Europe that is not peace with honor," he said.

"The difference in the cabinet resulting in the resignation of Anthony Eden as Foreign Secretary, which he regretted, was one of details, not principle, Sir Samuel asserted.

Admitting a growing feeling of gravity in Britain arising from the realization of the horrors of modern warfare, Sir Samuel said the horrors did not mean "we will submit to peace at any price."

"Our great war-time program of rearmament is determined to make our defenses secure, we will not submit to dictation from any quarter of the world," he continued.

"The Government's efforts toward reconciliation of Europe were taken deliberately and consciously. We know the price and we realize the possibility of failure. But if we fail I am still convinced no other course was open to us," Sir Samuel declared.

Doubts Effective Deal With Il Duce

CHICAGO, March 4—(AP)—Graham Hutton, assistant editor of the London Economist and writer on political and economic subjects, said today it was "highly doubtful" if Neville Chamberlain's cabinet, "minus Anthony Eden," could achieve an effective deal with Mussolini.

"Italy and Germany still keep banging the drums attached to the Rome-Berlin axis," he told the Chicago Council on Foreign Relations. "No treaty would be worth anything with either of these dictators (Mussolini and Hitler) xxx

"If the Tory old guard in Britain, now that the marks have been dropped, actively aid and abet Italy's designs in order to get her away from Germany, they will still have to face the dilemma of making war to check German designs. Italy will be strengthened, but Britain will never be able to trust which way the Italian strength will be used."

198 Lives Lost, Tens of Millions In Property Loss

Sunny Skies Return As Devastation From Five Day Storm Is Determined.

LOS ANGELES, March 4—(CP)—Soggy southern California raked mud and debris under sunny skies today to determine the life and property losses in five days of rain-storm and flood.

Death and damage figures fluctuated with the faltering of communication lines. It seemed the toll might be 198 lives and the devastation in the tens of millions of dollars.

A recheck of casualties late in the day showed 74 bodies found, 56 of which were identified. Others reported missing aggregated 124. Many sections remained isolated but large areas were slowly shaking off the storm paralysis.

Orange County appeared to be the scene of the greatest floods. The mad Santa Ana river, breaking over wide areas, was reported to have caused 60 deaths. Thirty bodies were found. In Los Angeles County 30 bodies were reported recovered, 23 of them identified. Thirty others were reported lost.

Five deaths were reported in San Bernardino County and unconfirmed reports from the desert section east of the San Bernardino mountains indicated 38 missing in the Barstow-Victorville region. Riverside County reported six bodies recovered, four identified. Thirteen others were reported dead.

In Ventura County two bodies were found and three others reported missing. County Health Officer John L. Pomeroy of Los Angeles said there was no danger to public health because of the rain, which started he said, "Food supplies were adequate."

HEAVY DAMAGE Los Angeles engineers estimated damage in the city at \$3,000,000 and county road and bridge damage at \$2,000,000. San Bernardino reported \$500,000 damage; Pasadena \$715,000; Glendale \$100,000; Santa Monica \$50,000; Glendora \$39,000. Motion picture studios lost \$150,000 in reported six bodies recovered, four identified. Thirteen others were reported dead.

The most tragic stories of the floods came from Orange County. Two little communities east of Santa Ana, the villages of Atwood and Le Jolie, were completely washed out. Homes, business places, and even huge oil tanks were swept away. The villages were occupied chiefly by Mexican laborers and their families.

Claims Selection Rests With Companies FREDERICTON, March 4—(CP)—Selection of a Canadian terminus for the projected trans-Atlantic air service rests with Imperial and Pan American Airways, Federal Transport Minister Howe said today in a telegram to Premier Duggan.

The Premier wired Mr. Howe yesterday protesting against "side-tracking" of Shediac as the terminus in favor of Montreal. The Minister's reply said: "Thanks for your wire third instant. Neither you nor I can influence decision of Imperial Airways and Pan American as to whether these companies will make Shediac or Montreal their Canadian terminal as both are named as alternative ports in trans-Atlantic contracts. Final choice will probably depend on results of further experimental flights. Kind regards."

VISITS ROME (C. P. Havas, by Guardian's Special Wire) WARSAW, March 4—Foreign Minister Jozef Beck left tonight for a brief official visit to Rome, accompanied by Mme. Beck and two members of his staff. The trip is expected to current international diplomatic negotiations.

Japanese Prepare Sweeping Offensive On Central Front

SHANGHAI, March 4—United States marine guards were reported by police today to have halted the Bubbling Well road boundary of the American defence sector of Shanghai.

The marines held up the Japanese patrol for half an hour at the entrance to the American defence zone of Shanghai's International Settlement, increasing the friction between foreigners and the city's Japanese conquerors. Marine headquarters made no comment.

On the Central China front, Japanese army officials said, four powerful Japanese detachments now are lined up solidly on a 20-mile front in southwestern China prepared to use artillery, infantry and aviation in a broom-like offensive to sweep the last Chinese troops from the province.

Chinese, however, declared that forces of 75 Japanese soldiers at the Bubbling Well road boundary of the American defence sector of Shanghai.

Japanese reported, they occupied three new towns in their pursuit of Chinese who, they said, were in flight south toward the Yellow River.

The Japanese next major objective apparently was Wensi, about 20 miles south of Kuwo and less than 40 miles north of the Yellow River. Wensi is an important Chinese military post and it was expected the Chinese would make a firm stand there.

CONSERVATIVE CONFERENCE AT OTTAWA

OTTAWA, March 4—(CP)—Three men close to the Conservative leader Bennett were named at the opening session today of the two-day national Conservative conference to head the three committees named to consider and report on the major matters at the conference.

Hon. J. L. Bowring, a former Speaker of the House of Commons and a delegate from Manitoba, convened the committee to which the most interest was attached. It will report on policy and on the convention to hold a national convention.

Hon. Earl Lawson, member of the House of Commons for York South, taken into the Bennett cabinet as Minister of Finance, was named as Minister of Finance.

General election, convened the committee on organization. The question of party finances was up before a committee led by Hon. Maurice Dupre, a Quebec delegate who was Solicitor-General in the Bennett cabinet.

Gordon Graydon, member of the House of Commons for Peel, English secretary of the conference, said tonight there was no mention of the party leadership either by Mr. Bennett or anybody else at the opening session.

Mr. Bennett expressed disappointment over the adverse decisions. Registration for the conference totalled 135, including most of the largest groups.

Senator Arthur Melgren, Conservative leader in the Upper House, was expected to join in tomorrow's sessions.

Mr. Bennett opened the conference today with a short address, the nature of which was not made public. The gathering, in the railway committee room of the House of Commons, is closed to press and public.

Four provincial party leaders are attending. They are J. G. Diefenbaker of Saskatchewan, Dr. W. J. P. MacMillan of Prince Edward Island, Erick Willis of Manitoba, and Hon. Earl Rowe, member of the House of Commons.

(Continued on page 11, Col. 3)

Icebreakers Start Spring Operations

(By The Canadian Press) THREE RIVERS, Que., March 4—The Government icebreaker Lady Grey started spring operations today in the St. Lawrence River opposite here. The ship opened a channel three miles west of the post.

The N. B. McLean, most powerful of the Government's icebreaking fleet, arrived today from Quebec and will work tomorrow in the channel with the Lady Grey.

Amendment Would Widen Scope Of Pensions' Bill

OTTAWA, March 4—The House of Commons today gave first reading to a bill to amend the Pensioners Allowances Act and bring within its scope veterans who, because of "economic conditions and handicaps combined with disabilities, are unable to become self-supporting. It is confined to men who saw service in a war theatre.

BREWERY BLAST KILLS THREE

15 Others Are Injured In Explosion. (A. P. by Guardian's Special Wire) NEW YORK, March 4—Explosion described by witnesses as "sounding like an earthquake" destroyed a brewery building in least Manhattan today, killing three men, injured 15 persons and spread incalculable damage about the crowded neighborhood.

Hundreds of stores and apartments in the area were damaged and debris was strewn about by fire. Fire Marshal Thomas Brophy said it appeared the blasts were caused by ignition of coal dust in the boiler rooms of the Horton Brewery by an electric spark from a welding machine.

Attorney Thomas E. Dewey ordered an investigation. The known dead: Daniel Jones, 16, father of Prevour, 26. All appeared to have lost their lives in a little lunch room adjoining the brewery, which was smashed by the falling walls.

Boost Shown In Tax Collections (C. P. by Guardian's Special Wire) OTTAWA, March 4—Revenue Minister Duggan announced today that customs, excise and income tax collections for the 11 months from April 1, 1937, to Feb. 28, 1938, totalled \$1,739,940, compared with \$1,680,000 over the same period in 1936-37.

Customs-excise revenue totalled \$297,190,185, increase of \$46,263,792; income tax \$1,154,547,775, increase of \$17,900,052. Customs-excise receipts in detail were as follows: Excise taxes \$163,019,017, increase \$29,309,174; customs duties \$35,168,143, increase \$10,939,886; excise duties \$48,275,830, increase \$5,943,873; sundry collections \$727,175, increase \$61,058.

Investigate Fire At Fort Niagara

PORT NIAGARA, N. Y., March 4—(AP)—A military board of inquiry investigated tonight a \$150,000 fire which threatened a historic army post today, destroyed one company's barracks and damaged another.

Thirteen soldiers and volunteer firemen, were treated at the post hospital for frost-bite, collapse from smoke, burns or injuries from falling debris. Lieut. Col. Reginald Ducaud, medical officer, said none was seriously hurt.

N. B. Throne Speech Debate Concluded

FREDERICTON, N. B., March 4—(CP)—The New Brunswick Legislature today adopted, without division, the address in reply to the Speech from the Throne.

H. A. Porter (Lib., Saint John City) concluded the address debate. This cleared the way for Provincial Secretary Treasurer Richard Porter to bring down his 1938 budget Tuesday afternoon.

NIE MOELLER CONFINED TO PRISON CAMP

By LOUIS P. LOCHNER Associated Press Foreign Staff BERLIN, March 4—(AP)—Rev. Martin Niemoller, rallying point of Protestant opposition to Nazi efforts to dominate the church, has been sent to a concentration camp by the German secret police despite his being set free by a court.

His wife collapsed when told today her husband had been sent to the Sachsenhausen, Saxony, camp. His six children and friends deplored the move and again pleaded the full significance of his detention at Sachsenhausen dawned on them.

In that camp of about 3,400 men also said to be nearly 1,000 members of the International Bible Students Association and others who have run afoul of the Nazi regime for reasons of conscience. "The Gestapo, the secret police, is claimed on good authority to be determined none of these would ever be released unless they promise to change their attitude of opposition."

Niemoller's past gives little hope that he is likely to come around to the point of view of the Gestapo which has sole discretion as to how long he is to be held in "protective custody."

Niemoller, after seven months in prison, was sentenced to seven months in jail and fined \$600 for attacking leaders of the state and working for reasons of conscience. The fine was paid and the court ruled Niemoller had served the sentence while awaiting trial.

But as he left the courtroom the secret police re-arrested him. Nazis themselves describe the life in concentration camp as stern but just.

Those in detention must snap at attention whenever they meet an officer of the camp. New arrivals—such as Niemoller—usually do the menial work of the camp. Only later are they gradually relieved of these duties as they are judged worthy of the confidence of their superior officers.

Congress Balks At Wage - Hour Bill

WASHINGTON, March 4—(AP)—President Roosevelt is beginning to entertain doubts that wage-hour legislation—important part of his legislative program—will be passed by the United States Congress this year.

At a press conference today, he declared that his objectives are unchanged and that "the old ship of state is still on the course." He provided legislation to put a floor under wages and a ceiling over hours might not go through this session. He made plain that he would like to see it through.

The wage-hour proposal has encountered strong opposition in Congress, especially from southern congressmen who helped kill a bill last year contending it might cripple the working industries of the south.

Japanese Prepare Sweeping Offensive On Central Front

SHANGHAI, March 4—United States marine guards were reported by police today to have halted the Bubbling Well road boundary of the American defence sector of Shanghai.

The marines held up the Japanese patrol for half an hour at the entrance to the American defence zone of Shanghai's International Settlement, increasing the friction between foreigners and the city's Japanese conquerors. Marine headquarters made no comment.

CLAIM GAS AND OIL DISCOVERY IN PRINCE CO.

Unconfirmed Reports Have Aroused Interest In Western Sections. A report that gas and oil have been discovered on farms in Prince County has aroused considerable interest in many communities in the western part of the province.

Although definite information was lacking, it was said that engineers from Pennsylvania who visited the western part of Prince Edward Island, struck oil on the farm of Frank Myers, Miminich.

Later, the engineers were reported to have visited Plussville and the cattle farm of Max Gallant was investigated. A fire at the rear of the farm, which started last summer, kept burning until the arrival of snow. The fire had been caused by a gas escaping from the earth, it was said.

Plussville was said to be in a direct line with the gas fields in Albert County, New Brunswick.

BARGAIN WEDDINGS

SWANSTON, Ill.—(CP)—Dollar days in the stores prompted Justice Samuel Harrison, 88-year-old magistrate, to try dollar marriages—C.O.D. no rebates and no exchanges. Business is brisk.



METEOROLOGICAL SERVICE, Toronto, March 4. Minimum and maximum temperatures.

FORECASTS Maritime East: Moderate to fresh winds; fair and cool.

High tide this afternoon at 12:49 and tomorrow morning at 1:22. Sun sets this afternoon at 5:53 and rises tomorrow morning at 6:30. First quarter moon Wednesday, March 9, 4:35 a. m.

Summerside tide eighteen minutes later than Charlottetown. TIDE CAR FERRY Leaves Borden 5:45 a. m., 1 p. m. Leaves Tormentine 11 a. m., 2:30 p. m.